

190567

2007-449-T

State Of South Carolina

Re: Compliance Review Requested

Name of Motor Carrier

ASH & T'S APARTMENT MOVERS

Action Taken:

☐ Referred for a Compliance Review

Date: _____

Investigator: _____

Compliance Review Findings:

☒ Satisfactory

☐ Unsatisfactory

GVWR FOR VEHICLE IS 11,500 LBS
NEED TO UPGRADE INSURANCE TO \$750,000.

LICP. TERRY W. HANCOCK
Compliance Review Officers

RECEIVED

JAN 31 2008

PSC SC
DOCKETING DEPT.

South Carolina State Transport Police



US DOT #
00000000

Legal: ASH & T'S APARTMENT MOVERS
Operating (DBA):

MC/MX #:

Federal Tax ID: [REDACTED]

Review Type: Compliance Review (CR)

Scope: Principal Office

Location of Review/Audit: Company facility in the U. S.

Territory:

Operation Types Interstate Intrastate

Carrier: N/A Non-HM
Shipper: N/A N/A
Cargo Tank: N/A

Business: Partnership
Gross Revenue: \$0.00

for year ending: 1/21/2008

Company Physical Address:

900 C Bacon Bridge Road
Summerville, SC 29483

Contact Name: Tracy Davis

Phone numbers: (1) 843-460-8764

(2) 843-568-7223

Fax 843-851-6554

E-Mail Address: svilleshopgirl@aol.com

Company Mailing Address:

900 C Bacon Bridge Road
Summerville, SC 29483

Carrier Classification

Other: not Author

Cargo Classification

Household Goods

Does carrier transport placardable quantities of HM? No

Is an HM Permit required? N/A

Driver Information

	Inter	Intra
< 100 Miles:		2
>= 100 Miles:		

Average trip leased drivers/month: 0

Total Drivers: 2

CDL Drivers: 0

Equipment

	Owned	Term Leased	Trip Leased
Truck	1	0	0

	Owned	Term Leased	Trip Leased
Truck	1	0	0

Power units used in the U.S.: 1

Percentage of time used in the U.S.: 100





ASH & T'S APARTMENT MOVERS

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Review Date:

01/21/2008

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or
Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

South Carolina State Transport Police, Motor Carrier Compliance Unit
10322 Wilson Blvd., Building D-2, PO Box 1993
Blythewood, SC 29016

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Tracy Davis

Title: Owner

Name:

Title:





ASH & T'S APARTMENT MOVERS

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Part B Violations

1 STATE	Primary: 391.23(a)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
Description Failing to investigate driver's background. Example Driver - Micah Murray - Trip Date -1/21/2008					
2 STATE	Primary: 396.3(b)(1)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
Description Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size. Example SC License Number - P308381 - File Missing year, make, serial number, and tire size.					
Safety Fitness Rating Information:					
Total Miles Operated 1,000		OOS Vehicle (CR): 0			
Recordable Accidents 0		Number of Vehicle Inspected (CR): 1			
		OOS Vehicle (MCMIS): 0			
		Number of Vehicles Inspected (MCMIS): 0			

Your proposed safety rating is :

This Review is not Rated.





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Part B Requirements and/or Recommendations

1. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm
2. Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.
3. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
4. Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.
5. Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
6. If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement.
7. Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.
8. A complete Educational and Technical Assistance package entitled "A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: www.fmcsa.dot.gov/factsfigs/eta/index.html.
9. NOTICE: On March 30, 2004, FMCSA published a final rule requiring employers to review a candidate's safety performance history data within 30 days of hiring a new driver. The final rule enables prospective employers to obtain and use more complete driver safety performance history during the hiring process. Prospective employers will be required to, at a minimum, investigate a driver's employment information, accident record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

All previous employers are required to respond to the investigating employer within 30 days of receiving the investigation request.

Even though the final rule is effective April 29, 2004, motor carriers are not required to comply with the new rule until October 29, 2004. This 6-month period will allow motor carriers ample time to develop procedures and systems to implement this rule.

For more information on these regulations, please access the FMCSA Web site at www.fmcsa.dot.gov <<http://www.fmcsa.dot.gov>>.

10.

Notice: On August 25, 2005, the FMCSA published a final rule revising the hours-of-service regulations for commercial motor vehicle drivers. The new federal hours of service (becomes effective on October 1, 2005, statutory requirements provide that FMCSA enforcement of the new HOS) regulations took effect October 1, 2005, which included changes to rule may only begin on October 25, 2005. FMCSA will provide the sleeper berth and short-haul provisions. These regulations only apply industry with a transitional period to properly adjust to the new HOS rules. The transitional period will be from October 1, 2005 and continue through December 31, 2005, and will





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allow carriers and commercial motor vehicle (cmv) drivers operating State enforcement agencies time to train their employees.

From October 25, 2005 through December 31, 2005, FMCSA personnel will exercise discretion operating in interstate commerce. Passenger carriers and their drivers will continue operating under the pre-2003 rules while fatigue issues specific to the passenger carrier industry are assessed. Under the new rule, CMV drivers using the sleeper berth provision must take at least 8 consecutive hours enforcing the new rule. This is more fully explained hours in the sleeper berth, plus 2 consecutive hours either in the sleeper berth, off duty, or any combination of the two. The 14-hour on-duty window may not be extended with off-duty time for meal and fuel stops, etc. The prohibition on driving after being on duty 60 hours in 7 consecutive days, or 70 hours in 8 consecutive days, remains the same, but drivers can "restart" the 7/8 day period anytime a driver has 34 consecutive hours off duty. For more information on these regulations, please access the FMCSA website at www.fmcsa.dot.gov.

STARVING STUDENTS

PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Notice of Claim. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review/inspection may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified Attachment A. FMCSA will also strongly encourage our State partners to you by the investigator. show comparable enforcement discretion.



South Carolina State Transport Police



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Report Summary

Report

of Pages

Part A - General

2

Part B - Violations

1

Part B - Recommendations

2

Review/Audit Receipt Page

1

Total Pages

6

Disclaimer: By signing below, I acknowledge that I have received a copy of this review/audit and agree with the total number of pages indicated (above) for each document. My signature does not imply agreement with the findings of the review/audit, however they have been discussed in detail with me.

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

South Carolina State Transport Police, Motor Carrier Compliance Unit
10322 Wilson Blvd., Building D-2, PO Box 1993
Blythewood, SC 29016

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Tracy Davis

Title: Owner

Name: *Tracy Davis*

Title: *Owner*

Reported By: *Terry W. Hargis*

Title: *ST*

Code: SC0036

Date: 1/21/2008

Received By:

Title:





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Part C

Reason for Review: Company Request

Planned Action: Compliance Monitoring

Safestat Category:

Parts Reviewed Certification:

325	382	383	387	390	391	392	393	395	396	397	398	399	171	172	173	177	178	180
		✓	✓	✓	✓	✓	✓	✓	✓									

Prior ReviewsPrior ProsecutionsUnsat/Unfit Information

Is the motor carrier of passengers subject to the safety fitness procedures contained in 49 CFR part 385 subpart A, AND does it transport passengers in a commercial motor vehicle?

Does carrier transport placardable quantities of hazardous materials?

Unsat/Unfit rule:

Not Applicable

Corporate Contact: Tracy Davis

Corporate Contact Title: Owner

Special Study Information:

Remarks:

This investigation was initiated because the carrier had applied to the South Carolina Public Service Commission for a Class E (HHG) Certificate. This certificate requires that the carrier be in compliance with the Federal Motor Carrier Safety Regulations as adopted by South Carolina. This compliance review was started on 1/21/2008. Personnel present during the review were Tracy Davis, Owner. All records were provided by her within 48 hours and are kept at her principle place of business. Carrier has 1 straight truck with a gvwr. of 11,500 lbs. and transports household goods. She plans to operate within Dorchester, Berkeley, and Charleston Counties. She has 2 non cdl drivers at this time. At time of review she had 0 gross income, 0 accident, and 0 inspections. She also has a consignment shop that delivers furniture as private property. Drivers are doing time cards, claiming 100 air mile exemption.

Carrier had violations in Part 391 and Part 396.

In Part 391, previous employer checks were not done. Drivers are young students that have had part time jobs in the past.

In Part 396, carrier did have a maintenance file, but was missing year, make, serial number, and tire size. One level 5 inspection was done with 0 OOS violations. Mrs. Davis was very cooperative and stated she would correct violations.

Upload Authorized:	Yes	No
Authorized by:		Date:
Uploaded:	Yes	No
Verified by:		Failure Code:
		Date:

